OCT 2 9 2004

PTO/SB/21 (09-04) Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Application Number 08/916,629 Filing Date TRANSMITTAL 08/22/1997 First Named Inventor **FORM** CHAD A. COBBLEY Art Unit 1733 Examiner Name AFTERGUT, J. H. (to be used for all correspondence after initial filing) Attorney Docket Number 97-0098 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance Communication to TC Fee Transmittal Form Drawing(s) Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to TC Petition Amendment/Reply (Appeal Notice, Brief, Reply Brief) Petition to Convert to a Proprietary Information After Final Provisional Application Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Enclosure(s) (please Identify Terminal Disclaimer Extension of Time Request below): Return receipt postcard Request for Refund Express Abandonment Request CD, Number of CD(s) Information Disclosure Statement Landscape Table on CD Certified Copy of Priority Remarks Document(s) Enclosed for filing is an Amendment in response to the Office Action dated 7/26/2004 having a Reply to Missing Parts/ statutory period for response set to expire on 10/26/2004. Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name THE LAW OFFICE OF STEPHEN A. GRATTON Signature Printed name Stephen A. Graffon Date Reg. No. 10/26/2004 28.418

## **CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name | Stephen A. Grattop

Date 10/26/2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$) 180.00

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Complete if Known		
Application Number	08/916,629	
Filing Date	08/22/1997	
First Named Inventor	CHAD A. COBBLEY	
Examiner Name	AFTERGUT, J. H.	
Art Unit .	1733	
Attorney Docket No.	97-0098	

METHOD OF PAYMENT (check all that apply)	FEE CALCULATION (continued)	
Check Credit card Money Other None		
Deposit Account:	Large Entity   Small Entity	
Denosit	Fee Fee Fee Fee Description  Code (\$)	Fee Paid
Account Number 07-1857	1051 130 2051 65 Surcharge - late filing fee or oath	
Deposit Account Stephen A. Gratton	1052 50 2052 25 Surcharge - late provisional filing fee or cover sheet	
Name	1053 130 1053 130 Non-English specification	
The Director is authorized to: (check all that apply)  Charge fee(s) indicated below  Credit any overpayments	1812 2,520 1812 2,520 For filing a request for ex parte reexamination	·
Charge any additional fee(s) or any underpayment of fee(s)	1804 920* 1804 920* Requesting publication of SIR prior to Examiner action	
Charge fee(s) indicated below, except for the filing fee	1805 1,840* 1805 1,840* Requesting publication of SIR after	
to the above-identified deposit account.	Examiner action	
FEE CALCULATION	1251 110 2251 55 Extension for reply within first month	
1. BASIC FILING FEE	1252 430 2252 215 Extension for reply within second month	
Large Entity Small Entity Fee Fee Fee Fee Description Fee Paid	1253 980 2253 490 Extension for reply within third month 1254 1.530 2254 765 Extension for reply within fourth month	
Code (\$) Code (\$)		
1001 790 2001 395 Utility filing fee	11	
1002 350 2002 175 Design filing fee	1401 340 2401 170 Notice of Appeal	
1003 550 2003 275 Plant filing fee	1 1402 340 2402 170 Filing a brief in support of an appeal 1 1403 300 2403 150 Request for oral hearing	
1004 790 2004 395 Reissue filing fee	1451 1,510 1451 1,510 Petition to institute a public use proceeding	
1005 160 2005 80 Provisional filing fee	1451 1,510 Petition to institute a public use proceeding 1452 110 2452 55 Petition to revive - unavoidable	
SUBTOTAL (1) (\$)	1453 1,370 2453 685 Petition to revive - unintentional	
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE		
Fee from Ext <u>ra Claims below</u> Fee Paid		
Total Claims20** = X =	1503 660 2503 330 Plant issue fee	
Independent - 3** = X = X	1460 130 1460 130 Petitions to the Commissioner	
Multiple Dependent =	1807 50 1807 50 Processing fee under 37 CFR 1.17(q)	
Large Entity   Small Entity Fee Fee   Fee Fee Fee Description	1806 180 1806 180 Submission of Information Disclosure Stmt	180
Code (\$) Code (\$)	8021 40 8021 40 Recording each patent assignment per property (times number of properties)	
1202 18 2202 9 Claims in excess of 20	1809 790 2809 395 Filing a submission after final rejection	
1201 88 2201 44 Independent claims in excess of 3	(37 ČFR 1.129(a))	<b>  </b>
1203 300 2203 150 Multiple dependent claim, if not paid	1 1810 790 2810 395 For each additional invention to be examined (37 CFR 1.129(b))	
1204 88 2204 44 ** Reissue independent claims over original patent	1801 790 2801 395 Request for Continued Examination (RCE)	
1205 18 2205 9 ** Reissue claims in excess of 20 and over original patent	1802 900 1802 900 Request for expedited examination of a design application	
SUBTOTAL (2) (\$)	Other fee (specify)	
**or number previously paid, if greater; For Reissues, see above	*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$)	180

(Complete (if applicable)) SUBMITTED BY Registration No. 28,418 Telephone 303 989 6353 Name (Print/Type) Gratton Stephen A. (Attorney/Agent) 10/26/2004 Signature

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